

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)Docket No.
19460

In Re Application Of: Christopher Milton Mathew Franco, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/563,637	June 12, 2006	Anish Gupta	23389	1654	4137

Invention: A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING ENDOPHYTIC ACTINOMYCETES AND METABOLITES THEREOF

COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of March 19, 2009 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

 One month Two months Three months Four months Five monthsfrom: June 19, 2009
Date until: September 19, 2009 (Saturday)
Date

Applicant claims small entity status. See 37 CFR 1.27.

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	58 -	57 =	1	x \$26.00	\$26.00
INDEP. CLAIMS	8 -	7 =	1	x \$110.00	\$110.00
FEE FOR AMENDMENT			\$136.00		
FEE FOR EXTENSION OF TIME			\$555.00		
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME			\$691.00		

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TIME UNDER 37 CFR 1.136(a) (Small Entity)**

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The fee for the amendment and extension of time is to be paid as follows:

- A check in the amount of _____ for the amendment and extension of time is enclosed.
- Please charge Deposit Account No. 19-1013/SSMP in the amount of \$691.00
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

/Frank S. DiGilio/

Signature

Dated: September 21, 2009

Frank S. DiGilio
Reg. No. 31,346
Scully, Scott, Murphy & Presser, P.C.

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence